

Office Work Instruction

HOWI 1050-U007
February 1, 1999

Responsible Office: Office of Life and Microgravity Sciences and Applications

Subject: Space Act Agreement



OFFICE WORK INSTRUCTION

SPACE ACT AGREEMENT

Original signed by:

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February 1, 1999

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1. Purpose

This OWI provides instructions for the process of identifying, developing and negotiating Space Act Agreements, which are initiated or supported by the Office of Life and Microgravity Sciences and Applications (OLMSA).

2. Scope and Applicability

This OWI applies OLMSA staff involved in working Space Act Agreements. Generally, this activity includes the negotiation by OLMSA officials of funded or non-reimbursable Space Act Agreements with U.S. Government entities, academic institutions and U.S. industry as well as OLMSA support to the negotiation of International Space Act Agreements.

The Lead Center for Microgravity Research, NASA Marshall Space Flight Center (MSFC) is responsible for developing and negotiating agreements with U.S. industry, although such agreements are subject to approval by the Associate Administrator for Life and Microgravity Sciences and Applications. The Office of External Relations (Code I) is responsible for negotiating International Space Act Agreements. OLMSA staff support the negotiation of agreements with international partners and are responsible for the technical implementation of international cooperation.

3. Definitions

- 3.1 Space Act Agreement. Commitments by NASA of resources to accomplish a joint undertaking with an agreement partner.
- 3.2 Nonreimbursable Agreement. An agreement involving NASA and one or more agreement partner in a mutually beneficial activity that furthers the Agency's mission, where each side bears the cost of its participation and there is no exchange of funds between the partners.
- 3.3 Funded Space Act Agreement. Refers only to an agreement under which appropriated funds will be transferred to a domestic agreement partner to accomplish an Agency mission, but whose objective cannot be accomplished by the use of a contract, grant, or Chiles Act cooperative agreement.
- 3.4 Agreement Partner. A U.S. person or entity, state and local governmental unit, an educational institution, a foreign government or its instrumentality, or other unit of the Executive Branch.

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4. Reference Documents

- 4.1 The National Aeronautics and Space Act of 1958, as amended Sections 102 (c) and 205
- 4.2 NPD 1050.1F, Authority to Enter Into Space Act Agreements
- 4.3 NPD 1360.X, Guidelines for International Cooperation (**DRAFT**)
- 4.4 Space Act Agreement Handbook, October 1993 (**IN REVISION**)
- 4.5 Marshall Space Flight Center Implementation Plan for Lead Center for Microgravity Research, September 25, 1998

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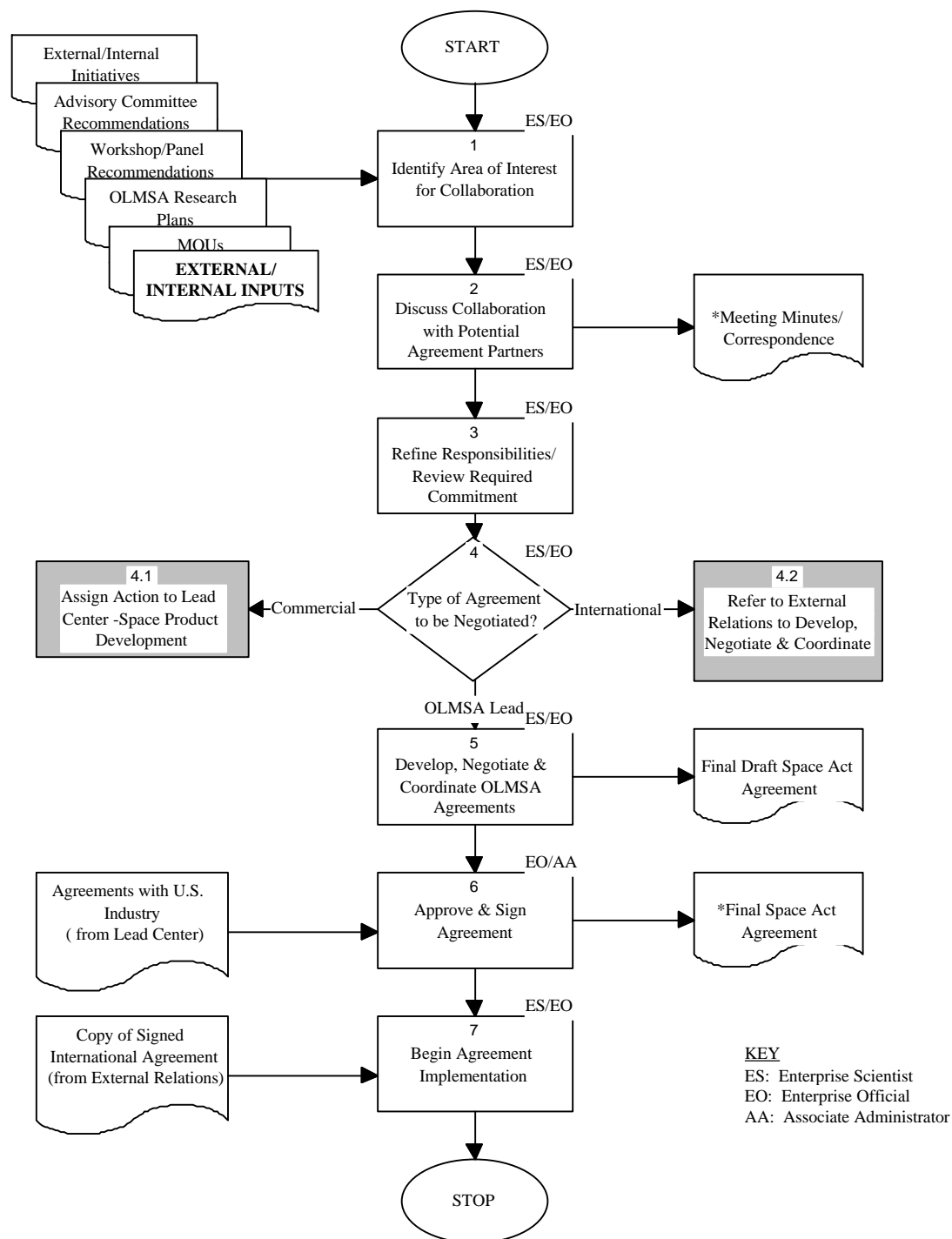
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5. Flowchart



KEY: Quality Records are Designated by (*)

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6. Procedure

The following table describes the process depicted in the flowchart in Section 5. The numbers at the left of the table correspond to the numbers in the activity boxes in the flow chart.

#	Responsible Party	Activity Description
1	Enterprise Scientist Enterprise Official	Identify areas of interest where collaboration could assist in meeting Agency objectives. This activity can be initiated internally as part of on-going OLMSA research planning or in response to direction or recommendations from the U.S. Congress or other Executive Branch agencies, NASA's Advisory Committee or research workshops or panels. Development of agreements also may be initiated under existing Memoranda of Understanding (MOUs) between NASA and agreement partners. OLMSA also responds to unsolicited proposals from U.S. industry which sometimes result in cooperative agreements between NASA and U.S. industry.
2	Enterprise Scientist Enterprise Official	After identifying potential areas of collaboration, initiate discussion of cooperation with potential agreement partners. This discussion can occur via correspondence, scheduled meetings of groups established to explore collaboration or specially convened workshops. Generally, the results of the discussion are documented in meeting minutes or through an exchange of letters confirming the interest of NASA and the potential agreement partner in cooperating. Often the initiative to cooperate is discussed informally in scientist-to-scientist contacts. If an international partner is involved, this activity is coordinated with the Office of External Relations (Code I). Discussion of cooperation with international partners often occurs during regularly scheduled meetings of bilateral or multilateral committees.
3	Enterprise Scientist Enterprise Official	After determining that collaboration can contribute to the meeting of OLMSA objectives, determine the commitment required by OLMSA to carry out the agreement and confirm that resources are available to support the proposed commitment.
4	Enterprise Official Enterprise Scientist	Determine the type of agreement to be negotiated. If it is determined that the agreement will be with a domestic agreement partner, OLMSA takes the lead and begins drafting and formal negotiation of the agreement.

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| 4.1 | Enterprise Official | If the proposed involves U.S. industry, the matter is referred to the Lead Center for Microgravity Research, MSFC for development and negotiation. The Lead Center coordinates its activities with OLMSA. |
| 4.2 | Enterprise Scientist | If an international partner is involved and an international Space Act Agreement may be required, the Office of External Relations (Code I) takes the lead in negotiating the agreement. Generally, Code I representatives have been involved from the beginning of (and sometimes initiate) any discussions with international partners. Generally, OLMSA staff participate in developing and negotiating international agreements in which OLMSA is the implementation lead for NASA. International agreements are also subject to OLMSA concurrence before final NASA approval and signature. |
| 5 | Enterprise Scientist
Enterprise Official | Develop and negotiate agreement with agreement partner. Generally, OLMSA coordinates with and/or seeks concurrence from cognizant Headquarters offices as required to ensure that the agreements are consistent with NASA policy. |
| 6 | Enterprise Official
Associate
Administrator | Upon completion of negotiations and after the agreement has been coordinated within NASA Headquarters, the agreement is presented to the Associate Administrator for signature. After signature, the agreement is sent to the agreement partner for signature. The Lead Center for Microgravity Research submits agreements with U.S. industry to the Associate Administrator for approval before completing such agreements. OLMSA staff also conduct any required final coordination of such agreements with cognizant Headquarters offices. |
| 7 | Enterprise Scientist
Enterprise Official | <p>After receipt of the signed agreement from the agreement partner, copies are distributed to cognizant Headquarters offices and files retained by the Division responsible for agreement implementation. The designated NASA project lead initiates implementation of the agreement, the detailed implementation of which is normally specified in the actual agreement.</p> <p>In the case of an international agreement, Code I maintains the official NASA copy. OLMSA receives a copy of the signed agreement, since OLMSA will be involved in the technical implementation of the agreement.</p> <p>If an agreement involves potential flight requirements, the project lead coordinates with the cognizant OLMSA officials to ensure that</p> |

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such requirements are considered in the planning and integration of OLMSA flight research (see HOWI U011 & U008). If an agreement involves formal solicitation of investigations, the project lead coordinates with OLMSA officials responsible for the OLMSA NASA Research Announcement process (see OWI U003).

If an agreement involves renewal of cooperation with another government agency, the renewal is worked in accordance with the OLMSA process for renewal of grants, contracts and interagency agreements/transfers (see OWI U004).

7. Quality Records

<i>Record Identification</i>	<i>Owner</i>	<i>Location</i>	<i>Retention</i>	<i>Media Electronic/ Hard Copy</i>
Correspondence/meeting minutes documenting interest in collaboration	Enterprise Official	Responsible Discipline Division	3 years	Hard Copy
Space Act Agreements (except International)	Associate Administrator	OLMSA	3 years	Hard Copy